

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:10-390
	)	
VARIOUS MONEY ORDERS,	)	Judge Nora Barry Fischer
	)	Magistrate Judge Cathy Bissoon
Defendant.	)	
	)	

**MEMORANDUM ORDER**

Pending before the Court is Claimant Rick Chaidez’s “Objection to comments made by Mary Houghton” (Doc. 18). Mindful that Claimant is proceeding *pro se*, this Court will treat Claimant’s filing as a motion for protective order to permit Claimant’s deposition to take place in California. For the reasons stated herein, the Court will deny Claimant’s motion.

A protective order may issue “for good cause . . . to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.” Fed. R. Civ. P. 26(c)(1). Claimant has made the conclusory assertion that he cannot travel to Pittsburgh, Pennsylvania for his deposition due to “financial hardship.” Such conclusory assertions are insufficient to establish “good cause” or “undue burden or expense.” See and United States v. Real Property Located at Layton, Utah 84040, No. 1:07-cv-6, \_\_ F.R.D. \_\_, 2010 WL 3271959, at \*2 (D. Utah Aug. 19, 2010).

Further, a claimant in a civil forfeiture proceeding voluntarily joins the action and subjects himself to jurisdiction of the court in which the forfeiture proceeding is filed. See United States v. Approx. \$57,378 in U.S. Currency, No. C08-5023, 2010 WL 4347889, at \*2

(N.D. Cal. Oct. 27, 2010); Real Property Located at Layton, 2010 WL 3271959, at \*2. It is Claimant's decision to continue pursuing his claim of ownership in this proceeding.

For the reasons stated above, the Court hereby **ORDERS** that Claimant's motion for protective order (Doc. 18) is **DENIED**. Plaintiff United States is directed to reschedule Claimant Rick Chaidez's deposition at a mutually convenient time. Claimant must travel to Pittsburgh for his deposition at his own expense.

**IT IS SO ORDERED.**

s/ Cathy Bissoon  
Cathy Bissoon  
U.S. Magistrate Judge

December 17, 2010

cc:

All counsel of record (via CM/ECF e-mail).  
Rick Chaidez (via First-Class U.S. Mail).